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HIGHWAY SAFETY STANDARDS AND MOTOR VEHICLE CARRIERS: A CONTINUATION STUDY

Legislative Commission of the
Legislative Counsel Bureau
State of Nevada

October 16, 1970

BULLETIN NO. 95

HIGHWAY SAFETY STANDARDS AND MOTOR VEHICLE CARRIERS: A CONTINUATION STUDY

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LEGISLATIVE COMMISSION

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Senate Concurrent Resolution No. 20—Committee on Transportation

FILE NUMBER 123

SENATE CONCURRENT RESOLUTION—Directing the legislative commission to continue the study of highway safety and motor vehicle laws.

WHEREAS, On May 26, 1966, the legislative commission appointed a subcommittee on highway safety standards; and

WHEREAS, On June 2, 1967, the legislative commission appointed a subcommittee to study the motor vehicle laws of this state; and

WHEREAS, The two studies were of such a similar nature that the subcommittees met as a joint subcommittee; and

WHEREAS, Federal legislation necessitates continuous study in order to update Nevada laws and standards relative to the use of motor vehicles and highways in this state; and

WHEREAS, Further study is also necessary to determine the best method of providing for safe vehicles to be driven on our highways through motor vehicle inspection; and

WHEREAS, Effort should be made to bring the ordinances of our cities and counties relative to rules of the road into uniformity; and

WHEREAS, It appears that the provisions of chapter 482 of NRS and chapter 706 of NRS relating to the registration and licensing of motor vehicles may be combined in such a manner as to provide for a simplified system of licensing of motor vehicles under a single fee; and

WHEREAS, A recodification of chapter 706 of NRS to separate clearly the functions of state agencies involved would make more understandable the obligations of everyone involved; now, therefore, be it

Resolved, by the Senate of the State of Nevada, the Assembly concurring, That the legislative commission is directed to continue the study of motor vehicle laws, highway safety standards and methods that may be developed requiring the inspection of motor vehicles and uniformity of city and county ordinances, appointing one subcommittee for such purpose; and be it further

Resolved, That the legislative commission is directed to report the results of such study and its recommendations to the 56th session of the legislature of the State of Nevada.

REPORT OF THE LEGISLATIVE COMMISSION

TO THE MEMBERS OF THE 56TH SESSION OF THE NEVADA LEGISLATURE:

This report is submitted in compliance with Senate Concurrent Resolution No. 20 of the 55th Session, which directed the legislative commission to study several aspects of the motor vehicle laws of this state, relating to uniformity and safety, and to clarify the provisions of chapter 706 of NRS, relating to the transportation of persons and property by motor vehicles for compensation. On June 20, 1969, the legislative commission appointed for this purpose a subcommittee consisting of Senator Archie Pozzi, Jr., chairman, Senator Helen Herr, and Assemblymen Keith Ashworth, Virgil M. Getto and Melvin B. Howard.

The subcommittee was assisted in its work by advisers familiar with the various phases of motor vehicle safety and motor transportation, and held several meetings. Its report was approved by the commission on October 16, 1970, and is attached for your consideration.

Respectfully submitted,

Legislative Commission
State of Nevada

Carson City, Nevada
October 16, 1970

REPORT OF LEGISLATIVE COMMISSION'S SUBCOMMITTEE FOR STUDY OF HIGHWAY SAFETY

The 1969 session of the Nevada legislature passed a resolution directing that the legislative commission continue the study of highway safety problems which it had been conducting over the previous 2 years. The legislature further directed the legislative commission to undertake a study regarding the recodification of chapter 706 of NRS, relating to the transportation of persons and property for hire, to separate clearly the functions of the public service commission of Nevada and the department of motor vehicles.

In response to this directive, the legislative commission created a subcommittee for the study of highway safety laws composed of Senator Archie Pozzi, Jr., Chairman, Senator Helen Herr, and Assemblymen Keith Ashworth, Virgil M. Getto, and Melvin B. Howard.

Chapter 706 of NRS

The first action of the subcommittee was to appoint a lay committee to prepare a recodification of chapter 706 of NRS. This committee was composed of Messrs. James C. Bailey, Winston W. Richards and Walter P. Scott of the department of motor vehicles; Messrs. Noel A. Clark and Edward J. Brice of the public service commission of Nevada; and Messrs. Robert F. Guinn and Daryl E. Capurro of the Nevada Motor Transport Association.

The lay committee met many times over the past year and developed a recodification of chapter 706 of NRS which is practical and responsive to the legislative directive.

The lay committee determined that the motor transportation industry, although an industry which serves the public, was not a public utility in the same sense as water, gas and electric companies. Therefore, all reference to motor transportation has been deleted from chapter 704 of NRS, relating to public utilities, and chapter 706 as recodified now contains the entire law relating to the regulation of the motor transport industry. The duties and functions of the public service commission of Nevada and department of motor vehicles have been established in a manner which removes ambiguities existing under the present code. The archaic language which has

been maintained and compounded since 1933 has been rewritten in a manner making it more understandable but not destroying the original intent. The many hours spent by the lay committee have resulted in proposed legislation which has been sorely needed for many years, and your subcommittee respectfully urges that such legislation be adopted by the 1971 session of the Nevada legislature.

Motor Vehicle Inspection

The subcommittee heard a proposal from the RCA Service Company of Camden, New Jersey, relating to its ability to construct motor vehicle inspection stations and carry on motor vehicle inspections for the state at no cost to the state. In response to this proposal the subcommittee recommended to the legislative commission that the RCA Service Company be invited to come to Nevada and conduct a feasibility study of adopting such system in Nevada. On January 20, 1970, the legislative commission adopted a resolution extending such an invitation to the RCA Service Company. However, no feasibility study was conducted because the attorney general subsequently gave his opinion to the department of motor vehicles that the State of Nevada could not enter into the 10-year contract which RCA Service Company would require.

Therefore, the subcommittee recommends that legislation be enacted permitting the random-spot inspection presently in effect in California. James C. Bailey, director of the department of motor vehicles, indicated that this plan could be put into effect through the use of two five-man teams at an initial year's cost of approximately $180,000, which would decrease to $140,000 the second year. Under this plan there is no possibility of recouping the amount expended.

Blood Alcohol Content

The subcommittee recommends that legislation be enacted lowering the presumptive level of blood alcohol to 0.10 percent or more by weight. It was noted that this is not a "three-drink" level but is more likely to be a "six- or seven-drink" level.

Further, the subcommittee recommends that the present law be amended to permit such tests to be made on deceased or injured passengers or pedestrians.

Motorcycles

One of the few areas in which Nevada is lacking with regard to conforming to the federal highway safety standards is in the field of motorcycles. The subcommittee has reviewed the legislation introduced in the 1969 session of the legislature and recommends that such legislation be enacted in 1971. Such legislation requires certain equipment to be maintained on motorcycles and that riders be required to wear approved safety helmets.

The subcommittee also recommends that the present powercycle law limiting the motor to 70 cc. displacement or less be raised to 155 cc. displacement or less and that the minimum age of licensed drivers be raised from 14 years to 15 years. A learner's permit should be issued at the age of 14 years, but no such learner should be allowed to drive a powercycle upon a public highway, and his instruction would be under supervision.

Drivers' Licenses

The subcommittee recommends that the driver's license of a person committed to the Nevada state hospital for alcoholism, drug addiction or as an incompetent be automatically suspended until the administrator certifies that such person is capable of driving a motor vehicle.

The subcommittee recommends that legislation be enacted permitting the department of motor vehicles to manufacture drivers' licenses in a manner whereby the photograph of the driver is placed thereon. Mr. James Bailey indicated that this can be done at small additional cost and would permit an applicant for a renewal to obtain his license in approximately 5 minutes.

Driver Training Schools

The subcommittee recommends that stricter controls be placed upon driver training schools not conducted in the public schools and that the control authority be placed in the state department of education.

In conclusion, the subcommittee takes this opportunity to express its thanks to the people who served as its advisors and

who contributed so freely of their time, effort and experience:

Robert F. Guinn.....Nevada Motor Transport Association
Daryl E. Capurro.....Nevada Motor Transport Association
James C. Bailey.....Department of Motor Vehicles
Winston W. Richards...Department of Motor Vehicles
Walter P. Scott.....Department of Motor Vehicles
Noel A. Clark.....Public Service Commission of Nevada
Edward J. Brice.....Public Service Commission of Nevada
E. H. "Bud" Miller....Nevada Highway Safety Coordinator
Howard Hill.....Nevada Safety Council
Bert L. Cooper.....State Department of Education

Respectfully submitted,

Senator Archie Pozzi, Jr.,
Chairman
Senator Helen Herr
Assemblyman Keith Ashworth
Assemblyman Virgil M. Getto
Assemblyman Melvin B. Howard

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